

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DEBORAH R. BEATON,

Plaintiff,

v.

JP MORGAN CHASE BANK, N.A., et al.,

Defendant(s),

No. 2:11-cv-00872-RAJ

**JOINT STATUS REPORT  
AND DISCOVERY PLAN**

COME NOW Plaintiff Deborah R. Beaton ("Plaintiff" or "Beaton"), *pro se*, and Defendants JP Morgan Chase Bank, N.A. ("Chase") and Northwest Trustee Services, Inc. ("NWTS"), by and through their respective counsels of record, and hereby submit the following Joint Status Report and Discovery Plan, pursuant to the Court's Minute Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement, dated July 5, 2011 [Dkt. 21].

**1. A statement of the nature and complexity of case.**

**Plaintiff's Statement:** This action centers on allegations of fraudulent foreclosure, and presents a constitutional challenge to the Deed of Trust Act. Plaintiff Deborah R. Beaton anticipates amending her complaint to add causes of action for securities violations.

1 **Defendants' Statement:** Plaintiff seeks declaratory relief, temporary, and permanent  
2 injunction to defeat Defendants' nonjudicial foreclosure proceedings against Plaintiff's real  
3 property, due to Plaintiff's default. Plaintiff appears to claim Defendants unlawfully  
4 commenced foreclosure proceedings of a fraudulent loan obligation secured by an invalid  
5 Deed of Trust, or one in which the beneficial interest was not appropriately transferred.

6 2. **A statement of which ADR method should be used.** Deborah R. Beaton will  
7 not agree to participate in alternative dispute resolution. Defendants are willing to participate  
8 in either mediation or a voluntary settlement conference.

9 3. **A statement of when mediation or another ADR proceeding under Local**  
10 **Rule CR 39 should take place.** Plaintiff believes this is not applicable. Defendants are  
11 willing to participate in either mediation or a voluntary settlement conference after discovery  
12 is undertaken and dispositive motions are determined.

13 4. **A proposed deadline for joining additional parties.** The parties agree that  
14 additional parties must be added by October 31, 2011.

15 5. **A proposed discovery plan.**

16 (a). The FRCP 26(f) conference took place on various dates from July 21,  
17 2011, through August 3, 2011, via email, due to the parties' limited availability to personally  
18 confer.

19 (b). Deborah R. Beaton has described the areas in which she will require  
20 discovery in her "Proposed Plan for Discovery and Depositions." Ms. Beaton believes  
21 discovery should proceed in three phases.

22 Phase I is a request for production of documents from Ms. Beaton's "Proposed  
23 Plan for Discovery and Depositions."

24 Phase II are interrogatories of Ms. Beaton's "Proposed Plan for Discovery and  
25 Depositions."  
26

1           Phase III are admissions, of Ms. Beaton's "Proposed Plan for Discovery and  
2       Depositions."

3           Defendants believe written and deposition discovery may be necessary concerning the  
4       allegations of Plaintiff's Complaint and the substantive and affirmative defenses. Defendants  
5       anticipate depositions of the parties, in compliance with the guidelines set forth in the Local  
6       Rules and the Federal Rules of Civil Procedure.

7           (c) No changes should be made on the limitations on discovery imposed under  
8       the Federal and Local Civil Rules.

9           (d) The parties agree to participate in discovery in good faith so as to  
10      minimize expense.

11          (e) One or more parties may request a protective order depending upon the  
12      scope of the discovery requests. The parties do not believe any other orders need to be  
13      entered by the Court at this time.

14          6.     The date by which the remainder of discovery can be completed. The  
15      parties believe that discovery may be completed by December 30, 2011. .

16          7.     Consent to assignment of a full-time United States Magistrate Judge. The  
17      parties will not consent to assignment of a United States Magistrate Judge.

18          8.     Bifurcation. The parties see no need for bifurcation at this point, but reserve  
19      the right to move for bifurcation.

20          9.     Dispensing of Pretrial Statements and Pretrial Orders. Ms. Beaton is  
21      willing to dispense with pretrial statements and pretrial orders. Defendants do not believe  
22      pretrial statements and pretrial orders should be dispensed with.

23          10.    Suggestions for shortening or simplifying the case. None. Ms. Beaton is  
24      working on and will make an offer of early settlement, which is her suggestion for shortening  
25      or simplifying the case  
26

1       **11.    Date case will be ready for trial.** The parties believe that the case will be  
2 ready for trial April 1, 2012.

3       **12.    Jury or Non-Jury Trial.** Ms. Beaton demands a jury trial. Defendants  
4 challenge Plaintiff's right to trial by jury.

5       **13.    Number of Days Required for Trial.** The parties estimate trial will require  
6 two to three days.

7       **14.    The names, addresses, telephone numbers, and email addresses of all trial**  
8 **counsel.**

9               **Plaintiff, Pro Se:**

10              Deborah R Beaton, *Pro Se*  
11              31431 SW 46<sup>th</sup> Pl.  
12              Federal Way, WA 98023  
13              drheab@comcast.net  
14              dbeaton@highlinemedical.org  
15              509-499-1607

16               **Defendant Chase:**

17              David A. Weibel, WSBA # 24031  
18              Barbara L. Bollero, WSBA #28906  
19              BISHOP, WHITE, MARSHALL & WEIBEL, P.S.  
20              720 Olive Way, Suite 1201  
21              Seattle, WA 98101-1801  
22              dweibel@bwmlegal.com  
23              bbollero@bwmlegal.com  
24              206-622-5306

25               **Defendant NWTs:**

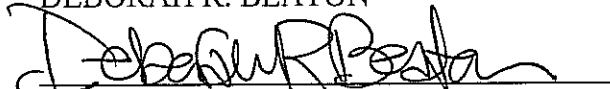
26              Heidi E. Buck, WSBA #41769  
                ROUTH CRABTREE OLSEN, P.S.  
                13555 SE 36<sup>th</sup> St Suite 300  
                Bellevue WA 98006  
                hbuck@rcolegal.com  
                425-458-2121

**15.    Service of process issues.** Not applicable.

**16.    Dates on which trial counsel may have scheduling conflicts.** The parties  
have no known scheduling conflicts at this time.

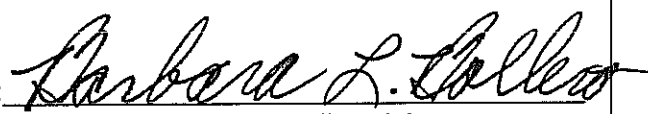
1 DATED: August 3, 2011

2 DEBORAH R. BEATON

3   
4 Plaintiff, Pro Se

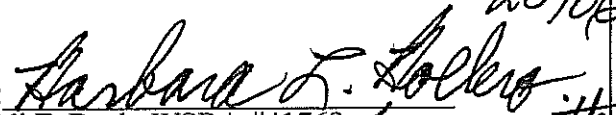
5  
6 DATED: August 5, 2011

7 BISHOP, WHITE, MARSHALL  
8 & WEIBEL, P.S.

9 By:   
10 Barbara L. Bollero, WSBA #28906  
11 Attorney for Defendant JP MORGAN  
12 CHASE BANK, N.A.

13 DATED: August 5, 2011

14 ROUTH CRABTREE OLSEN, P.S.

15  
16 By:  #28906  
17 Heidi E. Buck, WSBA #41769 per written  
18 Attorney for Defendant NORTHWEST  
19 TRUSTEE SERVICES, INC. authorization